

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TAYAN JACKSON,

Petitioner,

v.

WARDEN OF THE FEDERAL  
DETENTION CENTER AT SEATAC,

Respondent.

CASE NO. 2:24-cv-00547-TMC-GJL

ORDER DENYING MOTION AND  
GRANTING EXTENSION

The District Court has referred this federal habeas action to United States Magistrate Judge Grady J. Leupold. Currently before the Court is Petitioner Tayan Jackson's Motion for Reconsideration of the Court's Order denying his Motion to Limit Respondent's Return (Dkt. 28) and his Letter received on September 16, 2024 (Dkt. 30). Upon review, Petitioner has not shown cause for reconsideration of the Order declining to strike portions of the Return; however, out of an abundance of caution, the Court will provide Petitioner with a copy of the Return and extend his deadline to file objections to the pending Report and Recommendation.

In seeking reconsideration of the Court's Order, Petitioner clarifies that he was not requesting to strike portions of the Return but rather he was requesting to limit the matters that may be addressed in the Return. Dkt. 28. Although this is largely a distinction without

1 difference, Petitioner's emphasis on limiting what *may be addressed* in the Return rather than  
2 striking what *has already been addressed* is made clear by his subsequent Letter. Dkt. 30. In his  
3 Letter, Petitioner clarifies that he did not receive a copy of the Return (Dkt. 23) or the Response  
4 in Opposition to his Motion for an Evidentiary Hearing (Dkt. 26). As a result, Petitioner states he  
5 has been unable to review and respond to the specific arguments made in those filings. *Id.*

6 That Petitioner may not have received service of the Return is not grounds for revisiting  
7 the Court's Order denying his Motion to Limit the Return. However, Petitioner should be  
8 provided a copy of the Return and afforded an opportunity to review and respond to the  
9 arguments made therein. As the undersigned has already issued a Report and Recommendation  
10 on these matters, the aforementioned will be accomplished by granting Petitioner additional time  
11 to prepare and file his objections.

12 Accordingly, Petitioner's Motion for Reconsideration (Dkt 28) is **DENIED**. The Court  
13 *sua sponte* **EXTENDS** the deadline for Petitioner to file his written objections to the Report and  
14 Recommendation (Dkt. 29) until **October 11, 2024**. The Clerk of Court is **DIRECTED** to renote  
15 the Report and Recommendation for consideration on that date.

16 The Clerk is further **DIRECTED** to provide Petitioner with copies of the Return (Dkt.  
17 23) and the Response in Opposition to the Motion for an Evidentiary Hearing (Dkt. 26) along  
18 with a copy of this Order.

19 Dated this 18th day of September, 2024.

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22 Grady J. Leupold  
23 United States Magistrate Judge  
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